

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56981 of 2022

Arising Out of PS. Case No.-123 Year-2022 Thana- TATARPUR District- Bhagalpur

Vikki Kumar @ Vikki Kumar Singh S/O Late Babu Singh @ Late Babulal Singh Resident of village- Bhabanpura, P.S.- Kharik, District- Bhagalpur.
... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62273 of 2022

Arising Out of PS. Case No.-123 Year-2022 Thana- TATARPUR District- Bhagalpur

singh vikas son of brajendra kumar r/o- lakxmipur babhania, p.s.- kahalgaon, distt.- bhagalpur
... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56981 of 2022)

For the Petitioner/s : Mr. Prateek Tandon, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP.

(In CRIMINAL MISCELLANEOUS No. 62273 of 2022)

For the Petitioner/s : Mr. Madan Mohan, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-12-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Tatarpur P.S. Case No. 123 of 2022 lodged under Sections 147, 148, 353, 427 of the I.P.C. and Sections 147, 150, 153, 174(a), 174 (c) of the Railway Act.

As per the prosecution case, there are in total 2 named and 60-70 unknown persons, were named in this case. As per the allegation that unknown accused persons gathered before the

Bhagalpur Railway Station and were opposing the Agnipath appointment policy of Government of India. The senior police officers as well as officers responsible for law and order were consoling to the accused persons but they all were angry and started reaching towards Nathnagar Railway line. They created hurdle on the railway line by opening its pedal clips. They also tried to damage the railway property. And due to this reason the entire action has been taken by the police. With this allegation F.I.R. has been lodged.

Learned counsel for the petitioner submits that petitioners were

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. They submit that in the entire case no specific allegation against the petitioners has been made and the allegations made are general and omnibus. They also submit that it has been nowhere mentioned that who has opened the pedal clips.

Learned counsel for the Criminal Miscellaneous No. 56981 of 2022 submits that petitioner is in custody since 17.06.2022 charge sheet has already been filed in this case.

Learned counsel for the Criminal Miscellaneous No. 62273 of 2022 submits that petitioner is in custody since

25.06.2022.

Learned counsel for the both the cases submit that antecedent of the petitioners are clean. They further submit that similarly situated persons were granted bail by the Co-ordinate Bench of this Court as well as by this Court vide order dated 21.12.2022 in Cr. Misc. No. 65573 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Bhagalpur in connection with Tatarpur P.S. Case No. 123 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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